

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
MIDLAND/ODESSA DIVISION**

VIRTAMOVE, CORP.,

Plaintiff,

v.

ORACLE CORP.,

Defendant.

Case No. 7:24-CV-00339-ADA

**DECLARATION OF AANAND KRISHNAN IN SUPPORT OF
DEFENDANT ORACLE CORP.'S MOTION TO TRANSFER VENUE**

DECL. OF ALAN COOPERSMITH ISO
ORACLE'S MOTION TO TRANSFER VENUE
7:24-CV-00339-ADA

I, Aanand Krishnan, declare as follows:

1. I am a Vice President of Product at Oracle Corp. (“Oracle”). I make this declaration in support of Oracle’s motion to transfer venue. I am over 18 years old and not a party to this action. I have personal knowledge of the facts set forth in this declaration and, unless indicated otherwise, I could and would competently testify to them under oath if called as a witness.

2. I have been employed by Oracle since March 2022 and currently reside and work in Fremont, California. I am part of a global organization of approximately 1,100-1,200 employees at Oracle.

3. Oracle has a significant presence in the San Francisco Bay Area. Indeed, until late 2020, Oracle was headquartered in Redwood City, California. Oracle’s California offices in Redwood City, Santa Clara, and Pleasanton remain among Oracle’s largest offices and are hubs for Oracle’s technical, marketing, and sales talent.

4. My organization is responsible for building several Oracle products and services that power Oracle Cloud Infrastructure (“OCI”), which is Oracle’s cloud-computing platform that offers a wide range of platform and infrastructure services. My team’s scope of responsibility includes a platform service called “Containers and Kubernetes.” This includes a service called OCI Kubernetes Engine (“OKE”), which allows users to deploy applications in OCI using Kubernetes, and container technology such as Docker containers. My Product Management team’s role is to make choices about what products and features to develop. The Engineering and Development teams then determine how to develop those products and features and execute the necessary engineering and development.

5. The Kubernetes and Docker platforms are open-source technologies that were developed to a significant extent by a community of developers and technology companies based

in the San Francisco Bay Area. Oracle does not own or control the open-source Kubernetes or Docker technologies.

6. Through my role as Vice President of Product Management, I have gained personal knowledge of the general makeup of both the Product Management and Engineering and Development teams. Employees on both of these teams reside in numerous locations across the United States and in multiple locations outside the United States, with no centralized physical nexus in any one location. As such, individuals with knowledge about the development, product management, marketing, and sales of products that use OCI and OKE are scattered across the United States and the world.

7. The key experts and decision-makers on both the Product Management and the Engineering and Development teams who are responsible for the OKE and Containers products, consistent with the makeup of the broader teams, reside in locations across the United States. The key individuals from within the Product Management and Engineering teams are the following: Mickey Boxell, Chinmay Borkar, Matt Strong, Daniel Berg, Mike Sells, and Jeff Hoffman. None of these individuals is based in Texas, nor am I aware of any key experts or decision-makers in Product Management or Engineering and Development responsible for the OKE and Containers products with particularized knowledge who are based in Texas. In my day-to-day work in the Containers and Kubernetes organization, to my knowledge, I do not interact with any individuals who are based in Texas.

8. Mickey Boxell is a Senior Principal Product Manager for OKE who I understand is from the San Francisco Bay Area, California (<https://www.linkedin.com/in/mickeyboxell/>). I understand from Mr. Boxell that he relocated temporarily from California to Chicago, Illinois, for a short-term commitment that is ending in August 2025, at which point he intends to return to

California. Mr. Boxell has been working at Oracle for approximately 11 years. I understand he was first exposed to OKE and Docker when he moved into developer relations approximately 6 to 7 years ago. He became a product manager for OKE in or around in 2019. He is the primary owner of the business side of the product, does research to determine what new features to create, performs competitive analyses, is responsible for evaluating Profit and Loss, and communicates with customers, among other activities.

9. Chinmay Borkar is a Senior Director of Product Management based in Seattle, Washington, and he is Mickey Boxell's manager (<https://www.linkedin.com/in/chinmayborkar/>). While relatively new to Oracle, Mr. Borkar has prior experience at Amazon Web Services ("AWS") working with technologies such as Kubernetes.

10. Matt Strong is a Director of Software Engineering who resides in or around Miami, Florida (<https://www.linkedin.com/in/matthew-strong/>). Mr. Strong has been working at Oracle for approximately 8 years. I understand that he started as a principal engineer in August 2017 and knows well the Kubernetes master node (the machine that controls and manages Kubernetes "worker node" machines that execute the containerized applications). Through his role as Director of Software Engineering, he has developed an in-depth understanding of OKE and containerization technology used at Oracle.

11. Daniel Berg is an OCI Architect who resides in or around Raleigh, North Carolina (<https://www.linkedin.com/in/daniel-c-berg/>). Mr. Berg has been working at Oracle for approximately 3 years. I understand that he has worked with Kubernetes and containerization for approximately 12 to 14 years in prior roles. Through his role as an OCI Architect, he has developed an in-depth understanding of OCI, OKE and containerization technology used at Oracle.

12. Mike Sells is a Senior Director of Software Development – OCI and OKE/Containers and resides in or around Broomfield, Colorado (<https://www.linkedin.com/in/mike-sells-7901bb14/>). Mr. Sells has been working at Oracle for approximately 10 years. I understand that he started as a Senior Manager, Software Development – Oracle Data Cloud, and has held several roles at Oracle before taking his current role in 2021. Through his role as a Senior Director, he has developed an in-depth understanding of OCI and OKE.

13. Jeff Hoffman is a VP of Engineering for Containers, Kubernetes, and Oracle’s serverless suite and resides in or around Minneapolis, Minnesota (<https://www.linkedin.com/in/jeffreymhoffman/>). Mr. Hoffman has been working at Oracle for a little over a year. I understand that he has worked with Kubernetes as a part of his roles prior to joining Oracle at several different companies beginning at least in 2009. Through his role as VP of Engineering, he has developed an in-depth understanding of OKE.

14. Source code and documentation related to OCI and OKE are hosted in the cloud and are thus accessible from Oracle offices.

15. Oracle has sold, and continues to sell, products and services that use OCI and OKE in the San Francisco Bay Area.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on April 25, 2025, in Fremont, California.

Aanand Krishnan

Aanand Krishnan

Dated: April 25, 2025

Respectfully submitted,

/s/ Jared Bobrow

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CERTIFICATE OF SERVICE

The undersigned certifies that on April 25, 2025, all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document through the Court's CM/ECF system.

/s/ Jared Bobrow

Jared Bobrow